

Minutes
King County Rural Forest Commission
February 12, 2003
Preston Community Center

Commissioners present: Jean Bouffard, Rudy Edwards, Steve Ketz, Ken Konigsmark, Fred McCarty, Doug McClelland, Dave Warren

Commissioners absent: Gordon Bradley, Bill Kombol, Matt Mattson

Exofficio members: Mike Reed, Randy Sandin

Staff: Kristi McClelland, Harry Reinert, Linda Vane, Benj Wadsworth, Karen Wolf

Guests: Dennis Dart, Lee Kahn, Maxine Keesling

Doug McClelland called the meeting to order at 10:00 am.

Ken Konigsmark commented that he had received disappointing news recently regarding funds for an easement on land near Easton State Park in the Mountains-to-Sound Greenway in Kittitas County. At the last minute, the Kittitas County Commissioners convinced Rep Doc Hastings to pull \$1 million from the Forest Legacy budget. The Kittitas County Commission does not want any more land conserved or brought into public ownership.

Minutes Approval

Motion 1-203 “To adopt the January 8, 2003 minutes as written.” Dave Warren commented that the first paragraph should clarify that the Vashon Coop does not intend to be the sole manager of the WADNR land that the Coop is hoping will be transferred to the County. Rather, they would assist the County with managing the land.

Minutes moved, seconded and approved with clarification.

Staff Report

Benj Wadsworth distributed financial disclosure forms for 2003. He encouraged commissioners to complete them at the meeting.

Benj distributed the second draft of the Forestry Program brochure. He is looking for feedback on the content or the style. He is also looking for a good quote about forestry for the brochure.

Benj distributed the final draft of the RFC's letter to Council regarding wineries and golf courses. At Doug's request, Benj read the letter at the GMUAC meeting on Feb 4. There were a number of testimonies both before and against the wineries. Testimony regarding golf courses was postponed. The next meeting of the Committee is March 4. Both ordinances will be up for action at that meeting. There will likely be an effort to loosen restrictions in the winery ordinance.

Benj distributed the scoping document for the 2004 Comp Plan review. The scope will be sent to Council on March 3. Karen will work with Benj and keep the RFC informed of progress. There will not be any real action until summer.

Ken commented that NOVA funding for a Taylor Mountain recreation and trails plan had been approved. Mike Reed commented that the Council formally passed legislation completing the purchase of Taylor.

Benj commented that he went to the Shared Strategy for Salmon Recovery Conference on Feb 5. There was a lot of talk about forest practices and the need to get the forestry community more involved. Benj attended the forestry breakout session and tried to emphasize that working forests are part of the solution rather than part of the problem. He suggested that there is a need for those working on salmon recovery to come to a consensus regarding their position on forestry – whether to promote it as a positive land use compared to development, or end up with conversion by pushing for more stringent regulations. He feels that those working to conserve working forests could learn from the salmon recovery effort – in terms of both what is working and what is not.

Critical Areas Ordinance

Harry Reinert gave an update on the public meetings. There was a great deal of negative reaction at some of the meetings in the rural area. However, the meetings were very helpful in providing input. The comment period has been extended to Feb 28. Staff hopes to transmit the ordinance to Council in May.

Management is looking for creative ways to make the ordinance less of a burden on landowners. They are hoping to come up with various incentives to provide economic benefits. One proposal would allow rural forest landowners to clear up to 50% of their land (as opposed to 35%) if they enroll the land in PBRs.

Staff is also trying to address forestry in the CAO by eliminating rules that go beyond the state forest practice regulations. They are trying to improve definitions in the ordinance to differentiate between forestry practices and conversion activities.

Dennis Dart asked about the forest practice moratorium – whether it applies to an entire parcel or just the portion where the forest practice took place. It applies to the whole parcel. This issue has been reviewed a number of times in the past. A landowner who wants to leave open the option to convert can submit for a Conversion Option Harvest Plan and thus avoid the moratorium.

Harry raised the question of situations when the County has jurisdiction over forest practices under the Shoreline Act. He suggested that the direction will likely be to apply the state standards. Doug commented that in the FPD this should definitely be the case.

Randy Sandin commented that any property with development on it is considered a converted property and is thus under County jurisdiction with regard to forest practices. There is no process for dealing with forest practices on these properties.

Steve Ketz commented that lack of consistency in the regulatory environment is a real disincentive for forest landowners to keep their land in forestry. He feels that the County is headed in the right direction in terms of following the state forest practice regulations.

Harry commented that County permits can be very expensive. Staff is looking at possibilities for the County to provide free technical assistance. He asked what is a reasonable amount of money for a landowner to spend on permits for forest practices. Steve Ketz suggested that the County is looking to these landowners to provide a service by keeping their land in forestry, and therefore there should be no charge at all for permits. Ken Konigsmark agreed. Steve elaborated that those living in the urban area, who will not be subject to regulations, should cover the costs by paying additional permit fees. Harry agreed but commented that it will be difficult to find the mechanism for transferring costs from the rural area to the urban area.

Harry asked if the RFC was planning to write a comment letter on the ordinance. Staff will accept a comment from the RFC after the Feb 28 deadline. He feels that formal written input from the RFC would be very helpful.

Ken Konigsmark commented that he does not like the use of the word “incentive” in this discussion. Landowners are being forced to comply, so mechanisms that ease the pain are not “incentives.” He feels that if landowners are forced to comply with 65/10 and other regulations, then they should automatically be eligible for PBRS tax relief – without having to go through a burdensome application process.

One of the concerns with the CAO is that once the regulations are applied, it will be very difficult for anyone to go beyond the legal requirement in conserving their property, and therefore they will not be able to enroll in CUT programs. Management is not comfortable with the concept of paying people to comply with regulations. However, they are looking for ways for landowners to go beyond the requirement without setting aside even more of their property. One possibility is that landowners enroll in a stewardship class, whether it be forest, agriculture or some other type of class. He questioned whether or not that is enough of a requirement. Ken suggested that such a provision should apply to all lots, not just those larger than a certain acreage. There could be problem if too many people enroll in PBRs, as the result will be that taxes go up across the board. Benj questioned if that effectively would transfer the cost to the urban dwellers. There are issues with the tax structure that would prevent this.

Dave Warren commented that the classes have been very successful in educating landowners on Vashon Island. All of the properties on Vashon are eligible for PBRs because Vashon has a sole source aquifer.

Benj asked if there is still a provision for landowners to go beyond the regulations by protecting specific ecological features or wildlife habitat that are not otherwise protected. Staff is working on this. Steve Ketz asked why wildlife would not be treated as it is under the state forest practice laws. In the case of forestry, it probably will be. However, there are species that are identified in the Comp Plan that are not listed at the state or federal level, and these need to be protected.

Doug suggested that Benj draft a letter and circulate it to the RFC. He suggested that it might help for several members of the RFC to meet with management and discuss their concerns.

Sex Offender Housing

Karen Wolf summarized the current status of locating the sex offender house in King County. The RFC had made a recommendation in the fall that if the Executive decided to recommend locating the facility in the FPD, then it should be co-located with an existing developed use. That was the Executive's recommendation to Council, but Council voted to make no recommendation to DSHS and allow the state to preempt the County. The State chose three sites in residential areas, but there has been a great deal of public opposition to all of them. The County is now recommending a site in the FPD, co-located with the Fire Training Center.

Karen displayed a map. Staff is looking at two pieces of land adjacent to the Fire Training Center, one owned by WADNR (more likely), the other by Weyerhaeuser. The site is about a

mile from Valley Camp, the closest developed use. The terrain is steep and forested. The facility will need parking for 20 cars and will have an 8-ft chain link fence.

Ken Konigsmark suggested that the site is not a bad site. However, State Senator Dino Rossi is very opposed because he feels that there will be a threat to hikers that use the nearby trail.

Jean Bouffard commented that the site is a good one because it does not further fragment the forest.

Steve Ketz commented that there may be access issues. The exit off I-90 can be closed seasonally. He also commented that it seems contradictory that the County would suggest locating this facility in the FPD while proposing additional regulations in the CAO.

Ken suggested that DSHS should have to abide by the 65/10 regulations proposed in the CAO. However, because the County has been preempted by the State, the State will not have to apply for a land-use permit from the County.

Lee Kahn suggested that, although she is conflicted, the site might be the best option.

Randy Sandin commented that he thinks it is a great location, but it might be possible for one of the offenders to escape through the adjacent gravel pit. However, the Sheriff's office has stated that they will be able to find an escapee with a helicopter easily.

Rudy Edwards commented that it is a good location and assured that the sheriff's office is well equipped to deal with an escapee.

Doug reiterated that DSHS should be required to mitigate the impact. There is a very valuable gravel deposit underneath the WADNR property that should be taken into account. The forestland surrounding Valley Camp is threatened by conversion, and the State should address this. There should be a provision so that if/when the facility is no longer used for this purpose, it cannot be converted to another use. It is important that this siting not open the door to locating other undesirable uses in the FPD. Finally, Doug emphasized that the RFC does not support siting the facility in the FPD, but they are willing to condone it given the situation. Ken suggested that DSHS purchase the Buse property and donate it to Valley Camp. This might appease the camp.

2003 Priorities

Doug asked everyone in the room what they thought should be priorities for 2003. He would like to remain actively engaged in the CAO and how it impacts forestry. He would also like to focus on King County lands, particularly the Polygon property. He feels that it is necessary for the RFC to take on the issue of managing forests on County land.

Benj provided some background. He would like the RFC's advice both on what they would like to work on and what they think staff should be focusing on. The forestry team has had a couple of meetings recently discussing their priorities. There is appx. \$125,000 left in the ANRI budget (money originally allocated to start the forestry program), so there is funding available for a good project or two. Benj distributed a list of outreach ideas that the forestry team generated. Another possibility is using the money to decommission roads on Taylor. Staff also needs to come up with a list of CIP expenses over the next few years.

Dave Warren suggested the need to present a strategic plan to Council about how to conserve forestland and forestry. Benj commented that the Farm and Forest Report essentially provided a strategic plan several years ago. Maybe it is time to publish a progress report with revised recommendations.

Dennis Dart suggested that an RMAP project would be a good way to demonstrate to the public what is being required of small landowners. He suggested the need to collaborate more closely with Washington Family Foresters and the WADNR small landowners office.

Fred McCarty commented that the Friends of Rock Creek have been a very effective grass routes organization. He would like to see other similar groups form. He is interested in pursuing a conservation design project. The Current Use Taxation program needs to be examined and streamlined. The TDR program needs to be better funded. He sees an opportunity to reach out to hunting and fishing groups.

Lee Kahn commented that her tree farm has been a certified TDR sending site for several years, but the credits were never sold.

Mike Reed commented that he is eager to serve as a liaison between the RFC and the Council. Due to the reduction of the Parks division, he feels that there is an opportunity for private forest landowners to provide recreational opportunities.

Steve Ketz commented that finding funds to support the TDR program should be a top priority.

Jean Bouffard commented that there is a need to prioritize parcels for acquisition. Benj commented that staff has made some progress on that which he is willing to share.

Kan suggested the need to educate the GMUAC committee in addition to the NRPOS committee. Mike Reed offered to help set up a field trip. Ken also suggested the need to fill the RFC's vacant seats with members who will make a positive contribution to the RFC. Also, the issue of coal bed methane drilling is just coming up in King County for the first time, and he feels the RFC needs to follow it.

Benj commented that a major obstacle to the TDC program, aside from funding, is that there is no incentive for the cities to take additional density. He wonders if it might be the role for the RFC or staff to educate city councils about the value of conserving forestland.

Doug suggested that it is important to use the ANRI money on a tangible project rather than additional staff. It is important to keep the RFC involved in the decisions regarding this money.

Kristi commented that the RFC could be helpful in encouraging the Solid Waste Department and the Department of Transportation to do forest stewardship planning on sites that they manage.

Benj commented that he had recently spoken with someone at Jones and Stokes who is working on the HCP for the Brightwater Sewage Treatment Plant. There will likely be a forest conservation component to the mitigation for this project, and he thinks it would be worth following the progress of the HCP.

Next meeting

Wednesday, March 12, 10:00 – 12:00, Preston Community Center.